

DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

Docket No. 4002-1643

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention in **BONE GRAFT**, the specification of which

(check one) ☒ is attached hereto.
☐ was filed on _____ as Application Serial No. _____
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	_____ Yes	_____ No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	_____ Yes	_____ No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	_____ Yes	_____ No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided

by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status - patent/pending/abandoned)
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(Application Serial No.)	(Filing Date)	(Status - patent/pending/abandoned)
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I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Harold R. Woodard, No. 16,214; C. David Emhardt, No. 18, 483; Joseph A. Naughton, Jr., No. 19, 814; John V. Moriarty, No. 26,207; John C. McNett, No. 25,533; Thomas Q. Henry, No. 28,309; James M. Durlacher, No. 28,840; Charles R. Reeves, No. 28,750; Vincent O. Wagner, No. 29,596; Steve Zlatos, No. 30,123; Spiro Bereveskos, No. 30,821; William F. Bahret, No. 31,087; Clifford W. Browning, No. 32,201; R. Randall Frisk, No. 32,221; Daniel J. Lueders, No. 32,581; Michael D. Beck, No. 32,722; Kenneth A. Gandy, No. 33,386; Timothy N. Thomas, No. 35,714; Kerry P. Sisselman, No. 37,237; Kurt N. Jones, No. 37,996; John H. Allie, No. 39,088; Jeffrey A. Michael, No. 37,394; Deborah R. Beck, No. 37,370; Holiday W. Banta, No. 40,311; Troy J. Cole, No. 35,102; L. Scott Paynter, No. 39,797; Lisa A. Hiday, No. 40,036; Darrin Wesley Harris, No. P40,636; Matthew R. Schantz, No. P40,800; and Gregory B. Coy, No. P40,967.

Address all telephone calls to:	Michael D. Beck at (317) 634-3456
Address all correspondence to:	Michael D. Beck, Esquire Woodard, Emhardt, Naughton, Moriarty & McNett Bank One Center/Tower 111 Monument Circle, Suite 3700 Indianapolis, Indiana 46204-5137

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: **Bradley A. Coates** ^{J Box JWH}

Inventor's

Signature: Bradley A. Coates

Date of Signature: 10/1/97

Residence: **1760 Nuckolls Road, Rossville, TN 38066**

Citizenship: **U.S.A.**

Post Office Address: **1760 Nuckolls Road, Rossville, TN 38066**

Full name of second inventor: **James Van Hoeck**

Inventor's

Signature: James E. Van Hoeck

Date of Signature: 9-30-97

Residence: **754 Tealwood Lane, Cordova, TN 38018**

Citizenship: **U.S.A.**

Post Office Address: **754 Tealwood Lane, Cordova, TN 38018**

Full name of third inventor: **Jeffery Poyner** ^{JWH}

Jeffrey W. Poyner

Inventor's

Signature: Jeffrey W. Poyner

Date of Signature: 9/30/97

Residence: **234 Oxford Drive, Atoka TN 38004**

Citizenship: **U.S.A.**

Post Office Address: **234 Oxford Drive, Atoka TN 38004**

U.S. DEPARTMENT OF COMMERCE



UNITED STATES DEPARTMENT OF COMMERCE
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OCTOBER 28, 1998

PTAS

WOODARD, EMHARDT ET AL
J. ANDREW LOWES
111 MONUMENT CIRCLE, SUITE 3700
BANK ONE CENTER/TOWER
INDIANAPOLIS, INDIANA 46204-5137



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RECORDATION DATE: 08/07/1998

REEL/FRAME: 9366/0071
NUMBER OF PAGES: 7

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

COATES, BRADLEY J.

DOC DATE: 10/03/1997

ASSIGNOR:

VAN HOECK, JAMES

DOC DATE: 10/03/1997

ASSIGNOR:

POYNER, JEFFERY W.

DOC DATE: 10/03/1997

ASSIGNEE:

SDGI HOLDINGS, INC.
1800 PYRAMID PLACE
MEMPHIS, TENNESSEE 38132

SERIAL NUMBER: 08948135
PATENT NUMBER:

FILING DATE: 10/09/1997
ISSUE DATE:

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9366/0071 PAGE 2

STEVEN POST, EXAMINER
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AUG 7 1998

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ATKINS 00000015 08940135

08/11/98

01 FC

Correspondent Name and Address

Area Code and Telephone Number **(317) 634-3456**

Name **J. Andrew Lowes**

Address (line 1) **Woodard, Emhardt, Naughton, Moriarty & McNett**

Address (line 2) **111 Monument Circle, Suite 3700**

Address (line 3) **Bank One Center/Tower**

Address (line 4) **Indianapolis, Indiana 46204-5137**

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

8

Application Number(s) or Patent Number(s)

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Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

08/948,135

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

Patent Cooperation Treaty (PCT)

Enter PCT application number
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PCT _____

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Number of Properties

Enter the total number of properties involved.

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Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ **40.00**

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(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

23-3030

Authorization to charge additional fees:

Yes

☒

No

☐

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Name of Person Signing

J. Andrew Lowes

Signature



Date

August 4, 1998

RECORDATION FORM COVER SHEET
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Name (line 1) Jeffery W. Poyner

Execution Date
Month Day Year

10 3 97

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Execution Date
Month Day Year

Name (line 1)

Name (line 2)

Execution Date
Month Day Year

Name (line 1)

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Application Number(s) or Patent Number(s)

☐ Mark if additional numbers attached

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Patent Application Number(s)

Patent Number(s)

08/948,135

10525 U.S. TO
09/448066
11/23/99

ASSIGNMENT

WHEREAS, Bradley A. Coates, James Van Hoeck and Jeffery Poyner, of 1760 Nuckolls Road, Rossville, TN 38066; 754 Tealwood Lane, Cordova, TN 38018; and 234 Oxford Drive, Atoka, TN 38004, hereinafter referred to as Assignors, have made a new and useful invention in **BONE GRAFT** for which Assignors have made or will make application for Letters Patent of the United States; and

WHEREAS, SDGI Holdings, Inc., hereinafter referred to as Assignee, a corporation of the State of Delaware having a principal place of business 1800 Pyramid Place, Memphis, TN 38132 desires to acquire all of the entire right, title, and interest in, to and under said invention disclosed, described and claimed or intended so to be in said application, and in, to and under said application, and in, to and under any and all Letters Patent, United States and foreign, which may be obtained therefor and thereon;

NOW, THEREFORE, to all whom it may concern, be it known that for an in consideration of the sum of One Dollar (\$1.00) and other good, valuable and sufficient considerations to Assignors in hand paid, the receipt of which is hereby acknowledged, Assignors have sold, assigned and transferred, and by these presents do sell, assign and transfer unto Assignee, all of the entire right, title, and interest in, to and under said invention disclosed, described and claimed or intended so to be in said application, and in, to and under said application for United States Letters Patent executed by Assignors this 3rd day of October, 1997, and any and all other applications thereon and arising therefrom, including any and all divisions and continuations thereof,

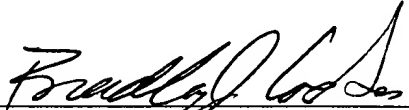
and any and all patents to be issued and obtained therefor and thereon, United States and foreign, including all reissues and extensions thereof.

Assignors hereby authorize and request the firm of Woodard, Emhardt, Naughton, Moriarty & McNett of Bank One Center Tower, 111 Monument Circle, Suite 3700, Indianapolis, Indiana 46204-5137 to insert here in parentheses (**) the date and serial number of said application when officially known and Assignors hereby authorize and request the Honorable Assistant Secretary and Commissioner of Patents and Trademarks to issue said Letters Patent to Assignee, its assigns and legal representatives.

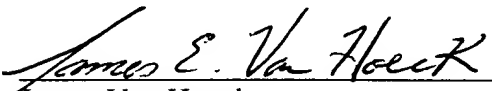
Assignors agree to assign and execute any and all other papers necessary or desirable for the procurement of Letters Patent on said invention in this and all foreign countries for the use of Assignee.

**Serial No. 08/948,135
Filed October 9, 1997

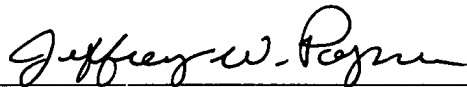
WITNESS Assignors' hands this 3rd day of October, 1997.



Bradley A. Coates
J. BCC gub
SV 498



James Van Hoeck



Jeffery Poyner
Jeffrey W. Poyner gub
JH 498